BEFORE THE DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION AT PORVORIM, GOA

Consumer Case No. /20

Mr. Francisco Abel Joao

S/o Mr. Jose Leocadio Joao

H. No. 565/F-1, Sea Goas Apartments

St. Cruz, Cujira, Tiswadi Goa .....Complainant

V/s

Lakaki Dry Cleaners & Art Dyers

Through its Proprietor Mr. Venkatesh Atchut Naik Dalal

Opp. Café Tato,

Near Municipal Garden Panaji - Goa .....Opposite Party

**COMPLAINT UNDER SECTION 35 OF THE CONSUMER PROTECTION ACT, 2019**

1. The address of the Complainant for the purpose of service of summons, notice etc is as shown in the cause title above and that of his counsel
2. The address of the Opponents for the very purpose is the same as shown in the cause title above.
3. Herein the above-named Complainant most respectfully submits as under,
4. That the Complainant (Mr. Francisco Abel Joao) is represented by his attorney holder and father Mr. Jose Leocadio Joao, aged 61 years, residing at H.No. 565/F-1, Sea Goas Apartments, St. Cruz, Cujira, Tiswadi Goa.
5. That the Opposite Party (Lakaki Dry Cleaners & Art Dyers) is a business providing laundry and dry-cleaning services, having its outlet opposite Café Tato, near Municipal Garden, Panaji - Goa.
6. That on 17/01/2022, the Complainant had given 5 expensive coats and 1 coat to the Opposite Party for dry cleaning, for which Rs. 2,350 was payable as service charges.
7. That when the Complainant went to collect his clothes on 27/01/2022, he was shocked to see that two of the expensive coats were completely damaged during the dry cleaning process.
8. That upon complaining to the staff of the Opposite Party, the Complainant was rudely told that the coats were already damaged when received and that the Opposite Party was not responsible for the damage.
9. That one of the damaged coats was purchased by the Complainant in the UK for approx. Rs. 9,000 and the other was recently tailored for Rs. 11,000. Both held immense sentimental value as they were worn for the Complainant's wedding.
10. That upon calling the proprietor of the Opposite Party establishment, the Complainant was again spoken to very rudely, arrogantly and dismissively about the damage issue.
11. That the conduct of the Opposite Party caused immense mental harassment, agony and anxiety to the Complainant.
12. That the above acts and conduct of the Opposite Party amount to gross deficiency in service, negligence and unfair trade practice.
13. That due to the deficiency in service and negligence of the Opposite Party, the Complainant has suffered financial loss of Rs. 20,000 towards cost of damaged clothes and immense mental harassment and agony.
14. That the Complainant has sent a legal notice dated 20/02/2022 to the Opposite Party calling upon them to compensate for the loss caused, but no response has been received.
15. **Cause of Action**:
16. The Cause of Action to file this complaint first arose on 27/01/2022 when the Complainant collected the damaged coats from the Opposite party and continued till the legal notice was sent on 10/02/2022 calling upon the Opposite party to compensate for the damages caused. The cause of action arose within the limitation period as prescribed under the Law.

V]   **Jurisdiction:**

1. The complainant resides within the jurisdiction of this Hon'ble Court, so also the opponent’s society is situated within the jurisdiction of this Hon'ble Court. Hence this Hon'ble Court has got jurisdiction to try and entertain this complaint. The consideration amount in this Complaint is less than Rs.50,00,000/-.

VI]  **Court Fees:** Requisite Court fee as contemplated is paid on this Complaint.

**VII Prayer:**

It is therefore most humbly prayed that setting all the contentions of the Opponents if any an order may kindly be passed against the Opponents in the following terms,

1. Direct the Opposite Party to pay compensation of Rs. 20,000 towards the cost of damaged clothes;
2. Direct the Opposite Party to pay compensation of Rs5,00,000/- for mental harassment caused;
3. Direct the Opposite party to pay litigation cost of Rs. 50,000/-
4. Pass any other relief deemed fit in the interest of justice; and

PORVORIM

Date Advocate for Complainant

**Verification**

Herein I, Francisco Abel Joao, do hereby state on the solemn affirmation that the contents of the above paragraphs are read over and explained to me in my vernacular, and the same is found to be true and correct to the best of my knowledge, belief, and information.

**PORVORIM**

**Date Complainant**